

1 **THE HONORABLE PAUL B. SNYDER**
2 **CHAPTER 13**
3 **HEARING DATE: September 9, 2009**
4 **HEARING TIME: 1:00 p.m.**
5 **LOCATION: Tacoma, Washington**
6 **RESPONSE DATE: September 2, 2009**

7 **IN THE UNITED STATES BANKRUPTCY COURT FOR THE**
8 **WESTERN DISTRICT OF WASHINGTON AT TACOMA**

9 In Re:) NO. 07-40277
10 JOHN ALEXANDER)
11) NOTICE AND MOTION FOR
12) DISMISSAL PURSUANT TO 11 U.S.C.,
13 Debtors.) SECTION 1307(c)

14 **NOTICE**

15 You and each of you are hereby notified that the undersigned will bring on for
16 hearing before the Bankruptcy Judge of the above entitled Court, 1717 Pacific Ave.,
17 Room H, Tacoma, Washington, 98402 on Thursday, September 9, 2009 at 1:00 p.m.
18 an application for dismissal of the above-captioned case. Response required by
19 September 2, 2009.

20 **MOTION**

21 **COMES NOW** David M. Howe the standing Chapter 13 Trustee and makes
22 this motion as follows:

- 23 1) The debtor(s) filed a plan on January 31, 2007, and plan was confirmed
24 on May 10, 2007.
25 2) The debtors were required to make payments under the plan of
 \$656.00 per month; that there is now a delinquency of **\$1312.00**
 which has occurred in the last two [2] months.
 3) That the debtors have otherwise defaulted under the terms of the Plan
 as follows: 1307(c) (1) unreasonable delay by the debtors that is
 prejudicial to the creditors; **Failure to remit plan payments.**

WHEREFORE the Trustee prays that the debtor's case be dismissed and this
 case be closed.

DATED this 23rd day of July, 2009.

/s/ David M. Howe
 DAVID M. HOWE, Chapter 13 Trustee

 David M. Howe
 Chapter 13 Trustee
 1551 Broadway Ste 600
 Tacoma, WA 98402
 (253) 572-6600

1 **CERTIFICATE OF MAILING**

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3 I declare under penalty of perjury under the laws of the State of Washington
4 as follows:

5 I, Karen Gordon, mailed via regular mail a true and correct copy of the Notice
6 and Motion for Dismissal to the following:

7 John Alexander
2318 19th St PL SE
Puyallup WA 98374

Brown & Seelye PLLC
260 NW Prindle Ave
Chehalis WA 98532

8 McCalla Raymer Et Al
1544 Old Alabama Rd
9 Roswell GA 30076-2102

Ecast Settlement
PO Box 7247-6971
Philadelphia PA 19170-6971

10 The following parties received Notice and Application for Dismissal via ECF:
11 Brown & Seelye PLLC, attorney for debtor, John Schlotter, Melissa Williams,
12 and the United States Trustee.

13 Dated at Tacoma, Washington on the 23rd day of July, 2009.

14
15 /s/ Karen Gordon
KAREN GORDON

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David M. Howe
Chapter 13 Trustee
1551 Broadway Ste 600
Tacoma, WA 98402
(253) 572-6600